

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CASE NO. 4:24-CR-00010 RLW/SPM

UNITED STATES OF AMERICA

vs.

MOHD AZFAR MALIK, M.D.

**MALIK'S MOTION FOR EXTENSION OF TIME TO
FILE REPLIES IN SUPPORT OF HIS PRETRIAL MOTIONS
(UNOPPOSED) AND FOR ORAL ARGUMENT**

Dr. Malik, in compliance with this Court's Order concerning the filing of pretrial motions (Doc. 45), filed three motions on February 28, 2024: Motion to Compel *Brady* Material (Doc. 53), Motion to Dismiss the Drug Trafficking Counts (Doc. 54) and Motion to Dismiss (Doc. 55). The Government, after receiving an extension, filed over-length responses to these Motions on March 28, and March 29, 2024. Dr. Malik's reply memoranda are currently due on April 8, 2024. Before those replies were due, the Court issued an order saying that the motions are now submitted and that the parties had not requested a hearing. Doc. 71.

We apologize for any confusion, but undersigned counsel believed that we had requested oral argument at the status conference on February 1, 2024. At that hearing, we informed the Court that we would be filing a number of pretrial motions and requested that, since we were traveling from out of town, that we be provided with advance notice of the hearing on the motions. The Court agreed and said that

its clerk would work with us to find an appropriate date. Then the Court issued a written order after the status conference, stating that “if a pretrial motion is filed, the [Court] will set a hearing by separate order after conferring with the parties.” Doc. 45. Therefore, we did not believe we needed to file an additional request for hearing.

We were also planning on filing replies in support of our motions. We definitely do not want to do unnecessary work. If the Court believes that replies and oral argument are not necessary, then of course, we will not proceed with those requests. However, if the Court believes that it would benefit from reply briefs and oral argument, we would request two additional weeks to file the replies (making them due on April 22) and oral argument thereafter.

Before the Court issued its Order, we had discussed the extension with Government counsel, who had no objection.

Respectfully submitted,

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